

**U.S. Department of the Interior  
Bureau of Land Management  
White River Field Office  
220 E Market St  
Meeker, CO 81641**

## **CATEGORICAL EXCLUSION**

NUMBER: DOI-BLM-CO-110-2011-0110-CX

CASEFILE/PROJECT NUMBER: COC53638

PROJECT NAME: Add Fiber Optic Cable to Existing ROW

LEGAL DESCRIPTION: Sixth Principal Meridian, Colorado  
T. 2 N., R. 102 W.,  
sec. 30, W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
sec. 34, lot 6, SE $\frac{1}{4}$ NW $\frac{1}{4}$ , and NE $\frac{1}{4}$ SW $\frac{1}{4}$ .  
T. 2 N., R. 103 W.,  
sec. 6, lots 4, 5, and 6, E $\frac{1}{2}$ SW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
sec. 7, N $\frac{1}{2}$ NE $\frac{1}{4}$  and SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
sec. 8, S $\frac{1}{2}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
sec. 15, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , and S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
sec. 16, S $\frac{1}{2}$ NE $\frac{1}{4}$  and NW $\frac{1}{4}$ ;  
sec. 17, NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
sec. 22, NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
sec. 23, S $\frac{1}{2}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , and NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
sec. 24, SE $\frac{1}{4}$ SE $\frac{1}{4}$  and NW $\frac{1}{4}$ SW $\frac{1}{4}$ .  
T. 3 N., R. 103 W.,  
sec. 18, lot 2;  
sec. 19, W $\frac{1}{2}$ E $\frac{1}{2}$  and E $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
sec. 30, W $\frac{1}{2}$ NE $\frac{1}{4}$  and SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
sec. 31, lots 1 to 4, inclusive, and NE $\frac{1}{4}$ NW $\frac{1}{4}$ .

APPLICANT: CenturyTel of Eagle

DESCRIPTION OF PROPOSED ACTION: CenturyTel (hereafter CenturyTel) requests permission to add one fiber optic cable to their existing buried/aerial copper cable constructed in an existing 16-foot right-of-way (ROW). The additional cable is required because the copper cable placed by US West in approximately 1967 is exhausted; therefore, CenturyTel is unable to provide future services for growth and modernization to Dinosaur, Colorado.

The ROW is located along Highway 64 between Rangely and Dinosaur (see attached maps). The construction plan is to follow the existing the ROW, which is approximately 56,000 feet long, 16 feet wide, and contains 20.57 acres. In Section 34, T2N, R102W, the existing aerial cable will

remain on the north side of Highway 64 and approximately 1,200 feet of new cable will be buried within Colorado Department of Transportation's ROW COC8283 on the south side of Highway 64. In Section 16, T2N, R103W, the existing buried cable will remain and be replaced with 1,060 feet of aerial cable across Highway 64.

**PLAN CONFORMANCE REVIEW:** The Proposed Action is subject to and has been reviewed for conformance with (43 CFR 1610.5-3, BLM 1601.08) the following plan:

**Name of Plan:** White River Record of Decision and Approved Resource Management Plan (ROD/RMP).

**Date Approved:** July 1, 1997

**Decision Number/Page:** Page 2-49

**Decision Language:** "To make public lands available for the siting of public and private facilities through the issuance of applicable land use authorizations, in a manner that provides for reasonable protection of other resource values."

**CATEGORICAL EXCLUSION REVIEW:** The Proposed Action qualifies as a categorical exclusion under 516 DM 11.9, E12: "*Grants of right-of-way wholly within the boundaries of other compatible developed rights-of-way*".

The Proposed Action has been reviewed with the list of extraordinary circumstances (43 CFR 46.215) described in the table below.

Extraordinary Circumstance	YES	NO
a) Have significant adverse effects on public health and safety.		X
b) Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands; floodplains; national monuments; migratory birds; and other ecologically significant or critical areas.		X
c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.		X
d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
e) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X

<b>Extraordinary Circumstance</b>	<b>YES</b>	<b>NO</b>
f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
g) Have significant impacts on properties listed, or eligible for listing, in the National Register of Historic Places as determined by either the bureau of office.		X
h) Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species.		X
i) Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		X
j) Have a disproportionately high and adverse effect on low income or minority populations		X
k) Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly affect the physical integrity of such sacred sites.		X
l) Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species.		X

#### INTERDISCIPLINARY REVIEW:

The Proposed Action was presented to, and reviewed by, the White River Field Office interdisciplinary team on 5/17/2011. A complete list of resource specialists who participated in this review is available upon request from the White River Field Office. The table below lists resource specialists who provided additional remarks concerning cultural resources and special status species.

<b>Name</b>	<b>Title</b>	<b>Resource</b>	<b>Date</b>
Michael Selle	Archaeologist	Cultural Resources, Native American Religious Concerns	8/22/2011
Lisa Belmonte	Wildlife Biologist	Special Status Wildlife Species	6/24/2011
Matt Dupire	Ecologist	Special Status Plant Species	5/24/2011

#### REMARKS:

*Cultural Resources:* The proposed cable route has been inventoried at the Class III (100 percent pedestrian) level (Conner et al, 2011 compliance dated), which relocated seven previously recorded sites. With one possible exception, most of the sites appear to be on the opposite side of Highway 64 from the proposed cable trench and would be completely avoided by construction, particularly if personnel are restricted to the construction side of the highway. The one site where there might be potential impacts is an old wagon road that was officially determined to be

ineligible for nomination to, or listing on, the National Register of Historic Places. If all new construction activity for the new cable is restricted to the existing disturbance, there would be no new impacts to the site.

Barring the discovery of buried remains, which cannot be ruled out, it does not appear that there would be any impacts to cultural resources as a result of construction the proposed fiber optic cable.

*Native American Religious Concerns:* No Native American religious concerns are known in the area, and none have been noted by Northern Ute tribal authorities. Should recommended inventories or future consultations with Tribal authorities reveal the existence of such sensitive properties, appropriate mitigation and/or protection measures may be undertaken.

*Paleontological Resources:* The proposed fiber optic cable crosses two formations. The first formation, mostly along the southern portion of line, is the Mancos shale (Tweto 1979) which the BLM WRFO has classified as a PFYC 3 formation locally. In some areas the Mancos shale can produce vertebrate fossils, such as mosasaurs or plesiosaurs. Only invertebrates, such as baculites and clams, have been reported from the area around Rangely (c.f., Armstrong and Wolny 1989). If the line is trenched to place the cable there is a potential to impact fossil resources, but it appears that the potential for vertebrates is low.

Major portions of the proposed line cross the Upper Mesa Verde group (Tweto 1979) which the BLM WRFO has classified as a PFYC 5 formation, meaning it is known to produce scientifically noteworthy fossil resources (c.f., Armstrong and Wolny 1989). If it becomes necessary to excavate a trench into the underlying sedimentary rock formation to bury the cable, there is a relatively high potential to impact noteworthy fossil resources. Any impacts to noteworthy fossils would result in a net loss of scientific data to the regional paleontological database.

A small portion of the line near Dinosaur crosses what is mapped as the Sego sandstone/buck tongue element of the Mancos shale formation (Tweto 1979). At the present time, the fossil bearing potential of the Sego sandstone is unknown (c.f., Armstrong and Wolny 1989), and the BLM WRFO has classified the formation as a PFYC 3 pending additional research. It is not known if trenching into the Sego sandstone will impact noteworthy fossil resources; however, should any fossils be located, they could become noteworthy simply because they are the first reported fossil from the formation in northwest Colorado.

*Special Status Wildlife Species:* The project area is broadly encompassed by white-tailed prairie dog habitat. White-tailed prairie dogs, a BLM sensitive species, and their burrow systems are important components of burrowing owl habitat, as well as potential habitat for reintroduced populations of black-footed ferret. Burrowing owls, also a BLM sensitive species, are uncommon in the White River Resource Area. These birds return to occupy a maintained burrow system in early April and begin nesting soon after. Most birds have left the area by September.

Under the auspices of a non-essential, experimental population rule, black-footed ferrets have been released annually in Coyote Basin (eight miles southwest) and Wolf Creek (13 miles northeast) of Rangely Oil Field since 1999 and 2001, respectively. The rule applies to any ferrets that may occupy or eventually be released in northwest Colorado and northeast Utah. Although there is no direct continuity between Coyote Basin or Wolf Creek and the project site (i.e., lesser physical barriers and habitats unoccupied by prairie dog), there is potential for ferrets to colonize and successfully breed in the Rangely Oil Field. Ferrets are wholly reliant on prairie dogs for food and shelter. Ferret breeding activities begin in early March, with birthing beginning in early May. Young ferrets generally begin to emerge by mid-July. There have been no verified sightings of ferrets, nor any known reproduction occurring in the Rangely Oil Field.

*Special Status Plant Species:* No special status plant species concerns.

#### REFERENCES CITED:

- Armstrong, Harley J., and David G. Wolny  
1989 Paleontological Resources of Northwest Colorado: A Regional Analysis. Museum of Western Colorado, Grand Junction, Colorado.
- Conner, Carl E., Barbara Davenport and Nicole Darnell  
2011 Class III Cultural Resources Inventory for a Proposed Fiber Optic Cable (19 Miles) in Moffat and Rio Blanco Counties, Colorado for CenturyLink. Grand River Institute, Grand Junction, Colorado. (11-11-23: SHPO #MC.LM.R632)
- Tweto, Ogden  
1979 Geologic Map of Colorado. United States Geologic Survey, Department of the Interior, Reston, Virginia.

MITIGATION: All applicable terms, conditions, and stipulations contained in original ROW grant COC53638 shall be carried forward and remain in full force and effect.

1. No earth disturbing activities will be allowed from April 1 – July 15 to avoid involvement with prairie dogs (and associates) and their burrow systems during the breeding and pup-rearing period.
2. The holder is responsible for informing all persons who are associated with the project that they will be subject to prosecution for knowingly disturbing archaeological sites or for collecting artifacts.
3. If any archaeological materials are discovered as a result of operations under this authorization, activity in the vicinity of the discovery will cease, and the BLM WRFO Archaeologist will be notified immediately. Work may not resume at that location until approved by the AO. The holder will make every effort to protect the site from further impacts including looting, erosion, or other human or natural damage until BLM determines a treatment approach,

and the treatment is completed. Unless previously determined in treatment plans or agreements, BLM will evaluate the cultural resources and, in consultation with the State Historic Preservation Office (SHPO), select the appropriate mitigation option within 48 hours of the discovery. The holder, under guidance of the BLM, will implement the mitigation in a timely manner. The process will be fully documented in reports, site forms, maps, drawings, and photographs. The BLM will forward documentation to the SHPO for review and concurrence.

4. Pursuant to 43 CFR 10.4(g) the holder of this authorization must notify the AO, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.

5. The holder is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for disturbing or collecting vertebrate fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands.

6. If any paleontological resources are discovered as a result of operations under this authorization, the holder or any of his agents must stop work immediately at that site, immediately contact the BLM Paleontology Coordinator, and make every effort to protect the site from further impacts, including looting, erosion, or other human or natural damage. Work may not resume at that location until approved by the AO. The BLM or designated paleontologist will evaluate the discovery and take action to protect or remove the resource within 10 working days. Within 10 days, the operator will be allowed to continue construction through the site, or will be given the choice of either (a) following the Paleontology Coordinator's instructions for stabilizing the fossil resource in place and avoiding further disturbance to the fossil resource, or (b) following the Paleontology Coordinator's instructions for mitigating impacts to the fossil resource prior to continuing construction through the project area.

7. If it becomes necessary to excavate into the underlying sedimentary rock formations, particularly the Mesa Verde and Sego Sandstone to make a trench for the fiber optic line a paleontological monitor shall be present for all such excavations.

COMPLIANCE PLAN: On-going compliance inspections and monitoring will be conducted by White River Field Office staff. Specific mitigation developed in the associated Categorical Exclusion and the right-of-way terms and conditions will be followed. The holder will be notified of compliance related issues and will be provided an appropriate period to resolve such issues.


NAME OF PREPARER: Stacey Burke

NAME OF ENVIRONMENTAL COORDINATOR: Heather Sauls

COMPLIANCE WITH NEPA

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, E12. This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The Proposed Action has been reviewed, and none of the extraordinary circumstances described in 43 CFR 46.215 apply.

SIGNATURE OF AUTHORIZED OFFICIAL:



Field Manager

DATE SIGNED:

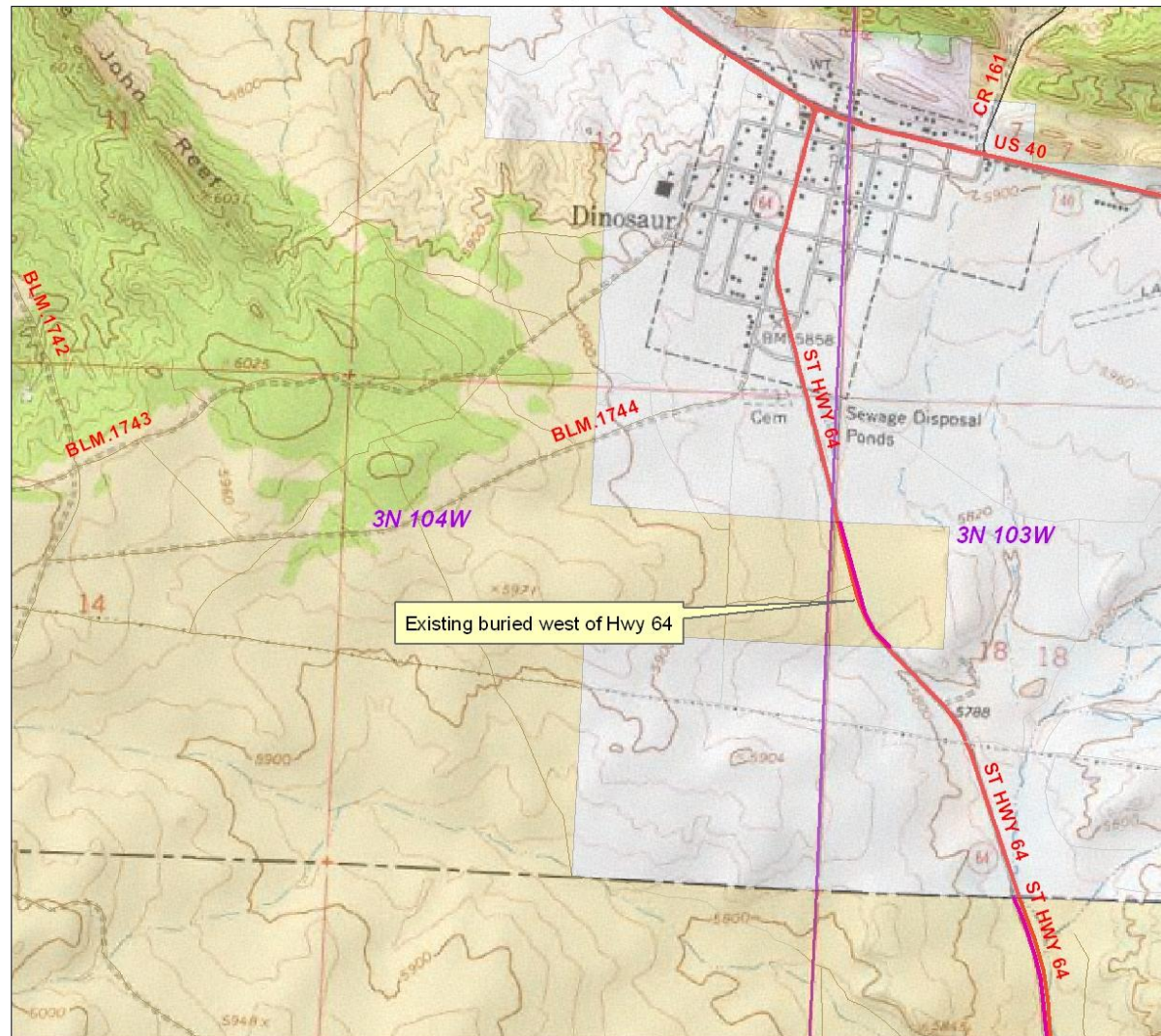
08/25/2011

ATTACHMENTS:

Exhibit A – Map of Proposed Action

ROW COC53638  
T. 3 N., R. 103 W.

EXHIBIT A



- COC53638
- BLM
- CDOW
- County
- FOR
- NPS
- PRI
- STA
- PLSS\_Township\_GCD82008
- State
- County
- BLM
- USFS
- NPS
- Other

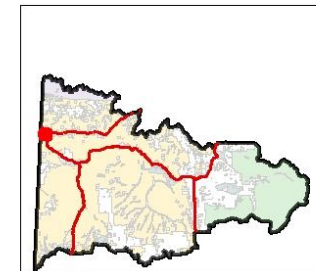


Sources:  
BLM, USGS, CDOW, etc.

Disclaimer:  
Although the data presented within this map, and the map itself, have been processed successfully on computers of BLM, no warranty, expressed or implied, is made by BLM regarding the use of this map or the data represented, nor does the fact of distribution constitute or imply any such warranty.

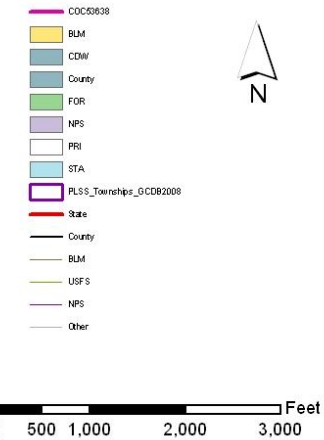
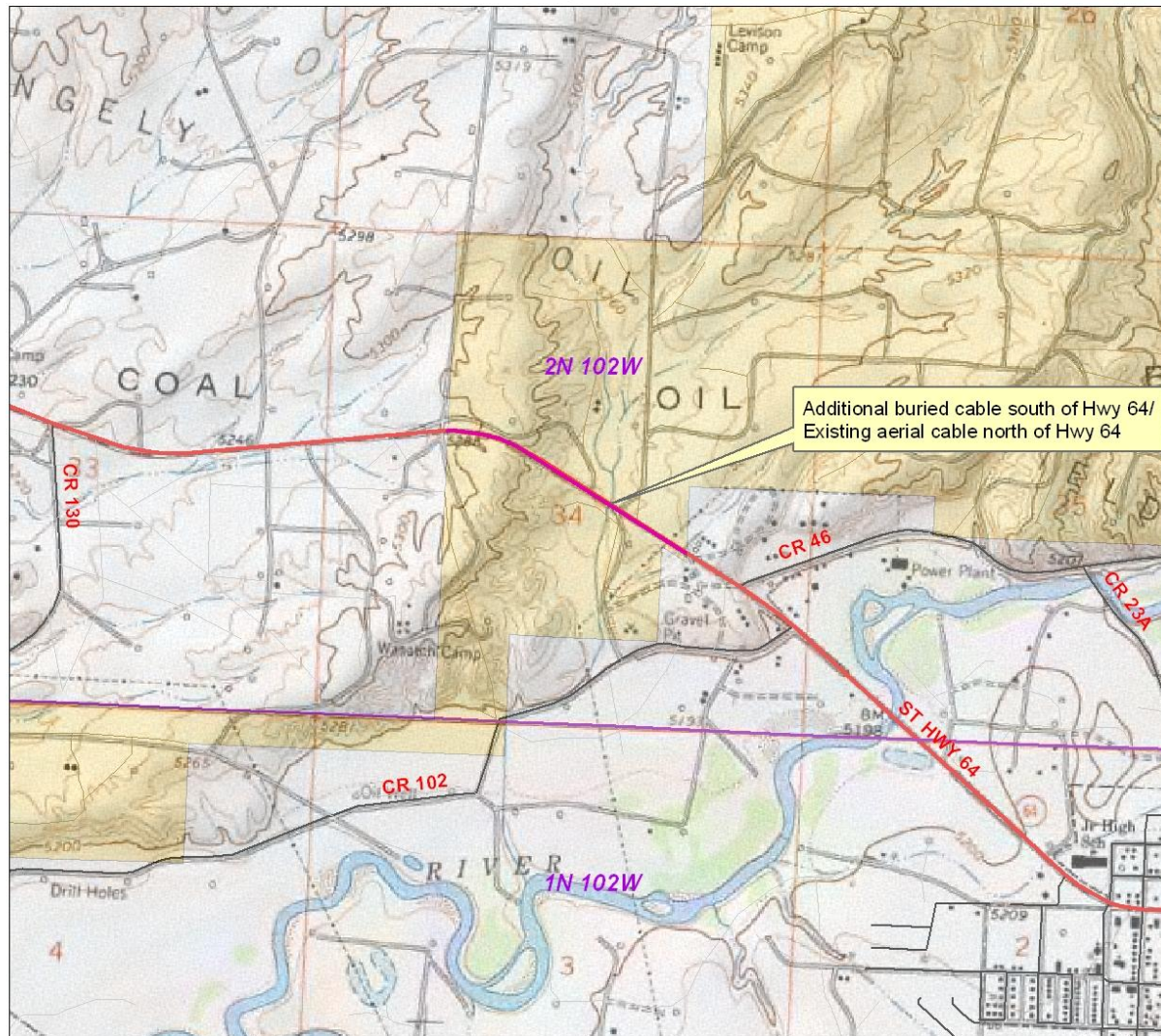


May 2011



ROW COC53638  
T. 2 N., R. 102 W.

EXHIBIT A

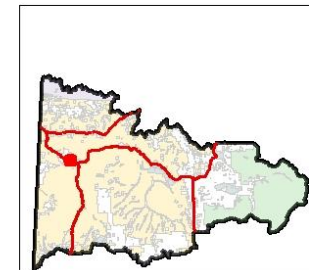


Sources:  
BLM, USGS, CDOW, etc.

Disclaimer:  
Although the data presented within this map, and the map itself, have been processed successfully on computers of BLM, no warranty, expressed or implied, is made by BLM regarding the use of this map or the data represented, nor does the fact of distribution constitute or imply any such warranty.

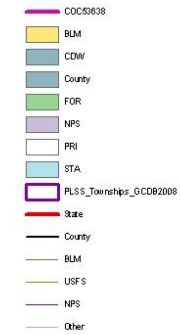
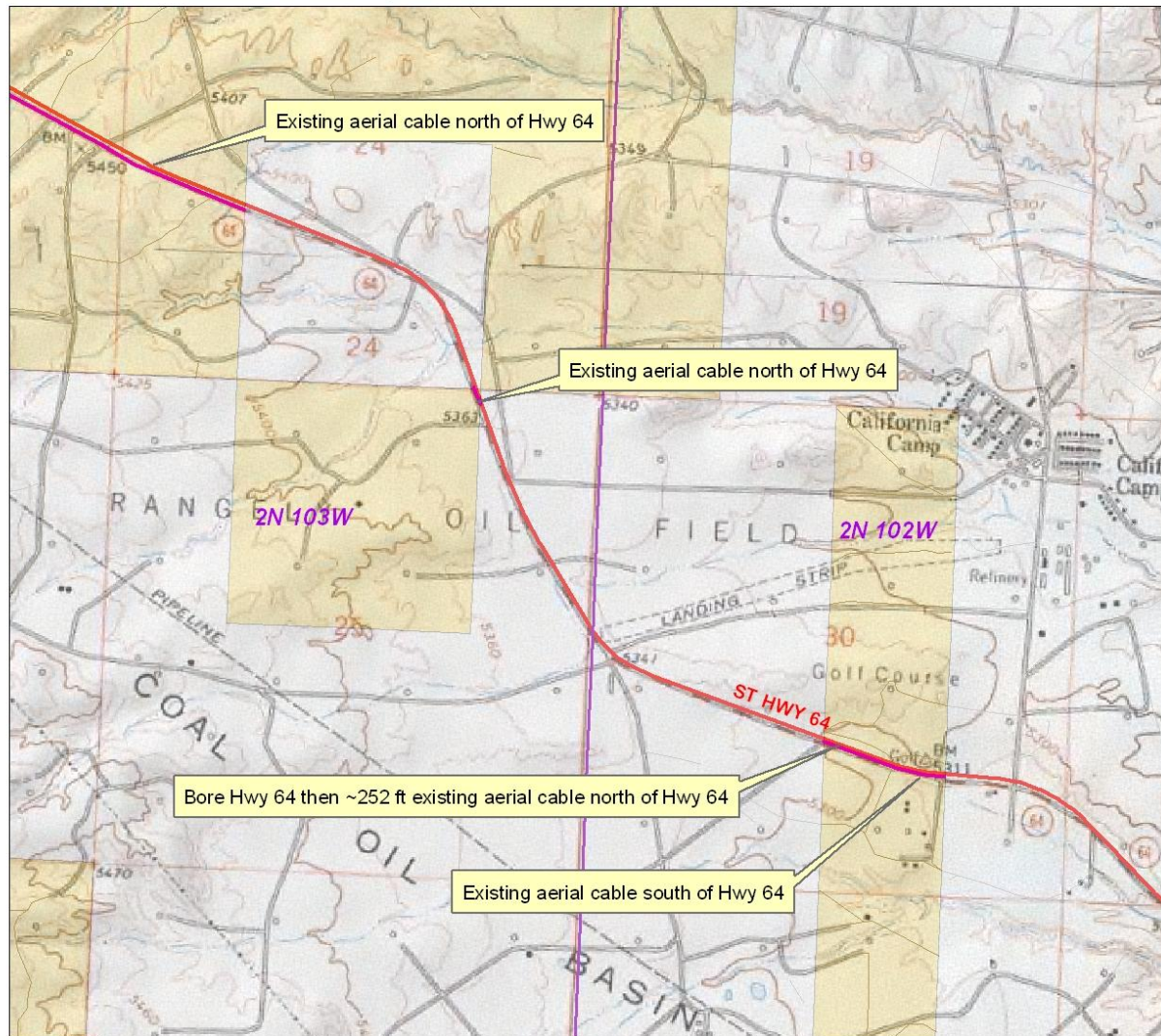


May 2011



ROW COC53638  
T. 2 N., R. 102 W. and T. 2 N., R. 103 W.

EXHIBIT A

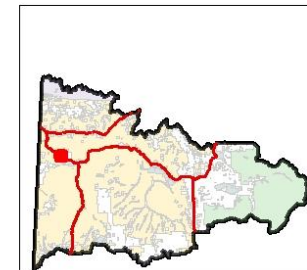


Sources:  
BLM, USGS, CDOW, etc.

Disclaimer:  
Although the data presented within this map, and the map itself, have been processed successfully on computers of BLM, no warranty, expressed or implied, is made by BLM regarding the use of this map or the data represented, nor does the fact of distribution constitute or imply any such warranty.

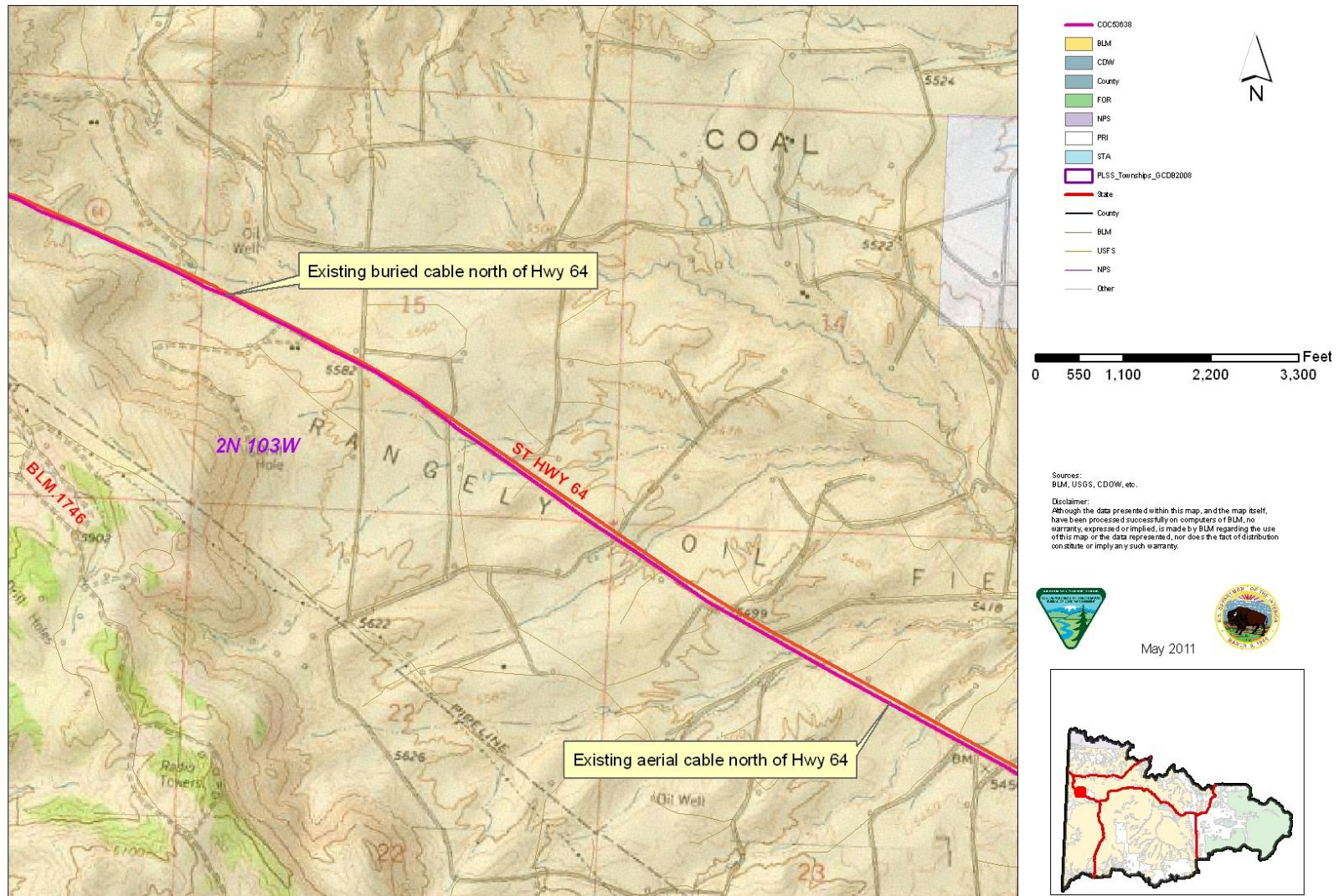


May 2011



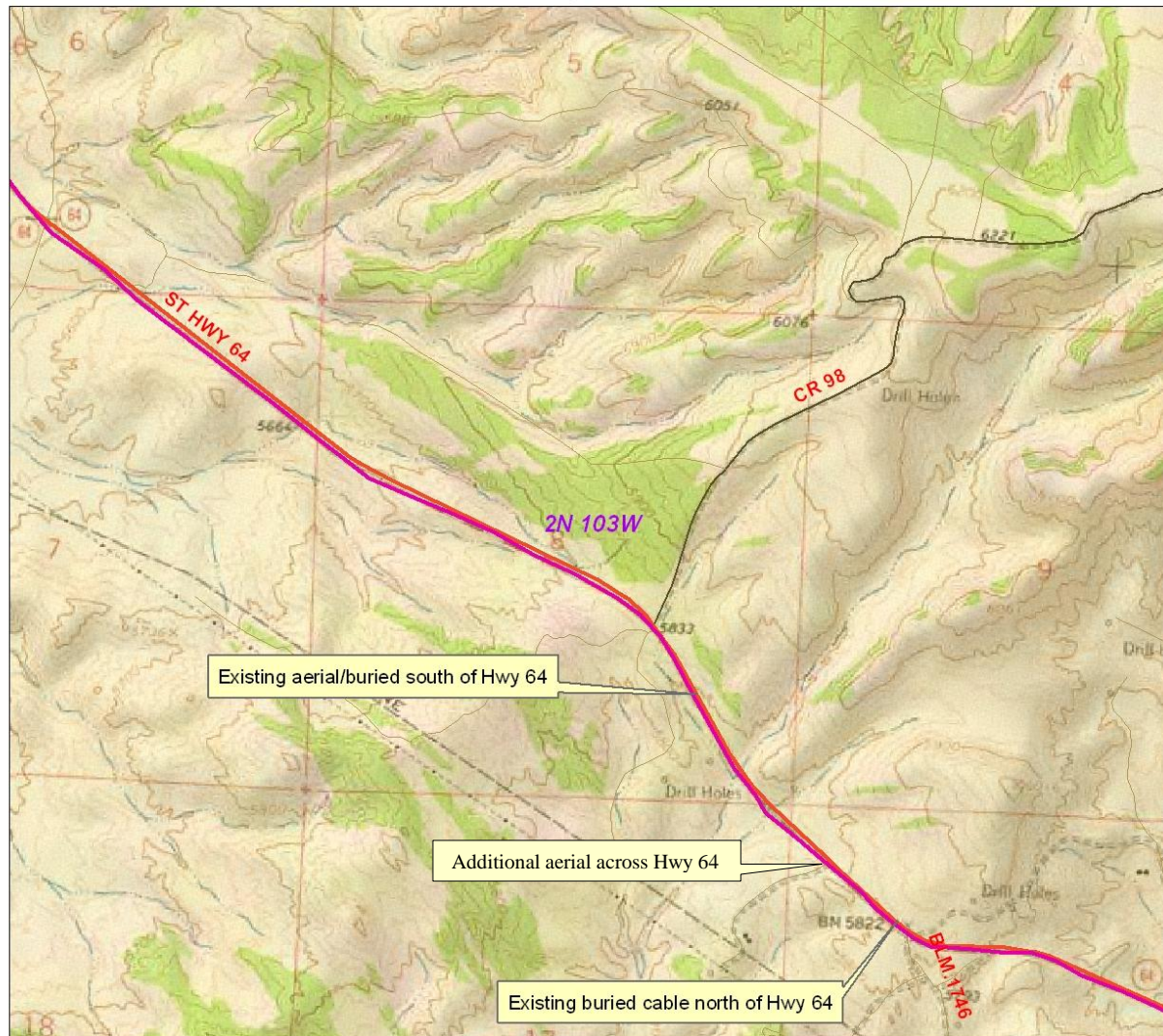
ROW COC53638  
T. 2 N., R. 103 W.

EXHIBIT A



ROW COC53638  
T. 2 N., R. 103 W.

# EXHIBIT A



- COC53638
- BLM
- CDOW
- County
- FOR
- NPS
- PRI
- STA
- PLSS\_Township\_GCD82008
- State
- County
- BLM
- USFS
- NPS
- Other

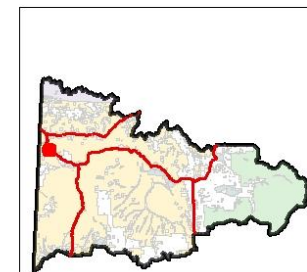
0 550 1,100 2,200 3,300 Feet

Sources:  
BLM, USGS, CDOW, etc.

Disclaimer:  
Although the data presented within this map, and the map itself, have been processed successfully on computers of BLM, no warranty, expressed or implied, is made by BLM regarding the use of this map or the data represented, nor does the fact of distribution constitute or imply any such warranty.



May 2011



ROW COC53638  
T. 2 N., R. 103 W. and T. 3 N., R. 103 W.

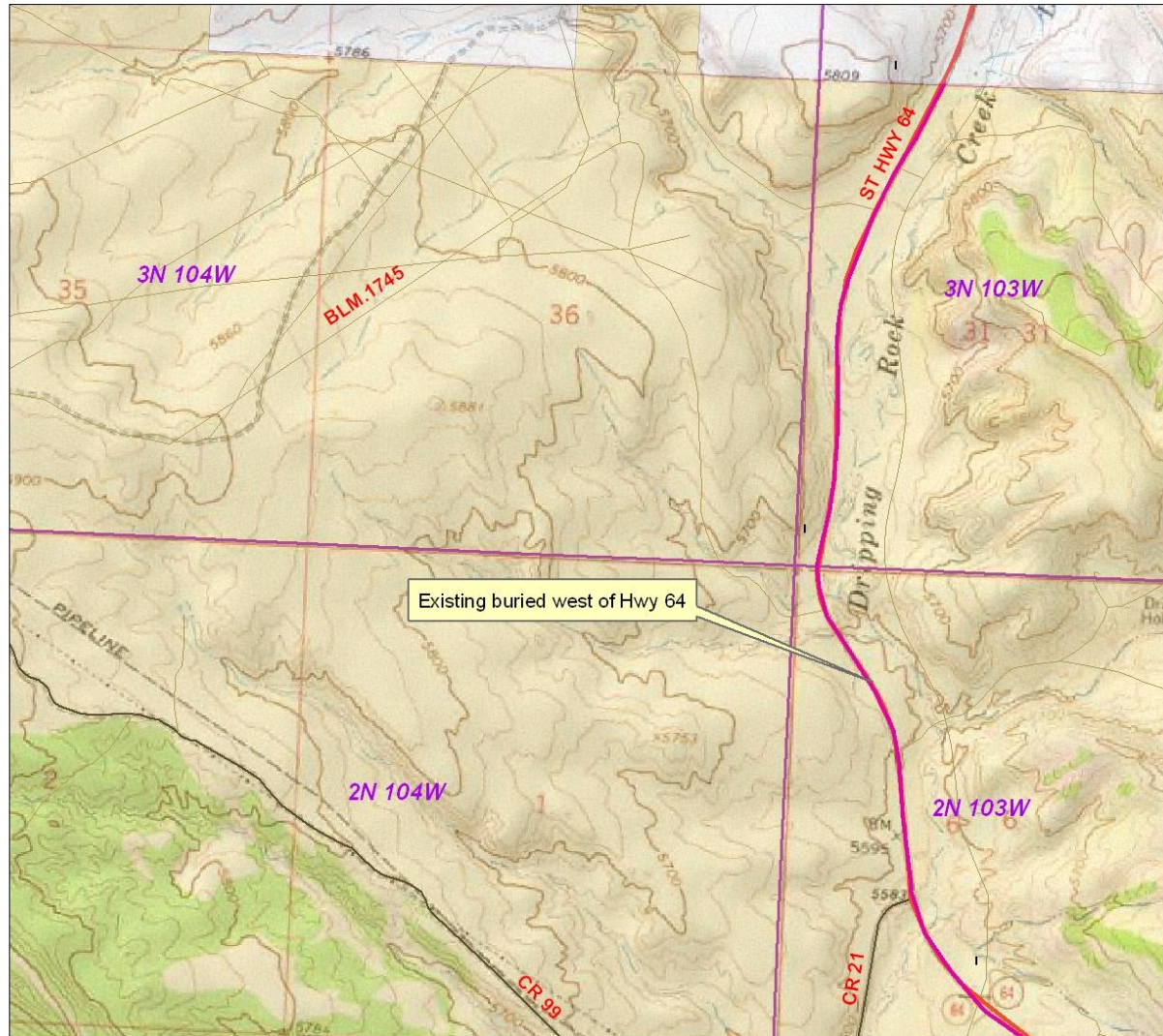
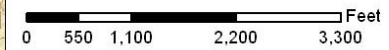


EXHIBIT A

- Markers
- COC53638
  - BLM
  - CDOW
  - County
  - FOR
  - NPS
  - PRI
  - STA
  - PLSS\_Township\_GCD82008
  - State
  - County
  - BLM
  - USFS
  - NPS
  - Other

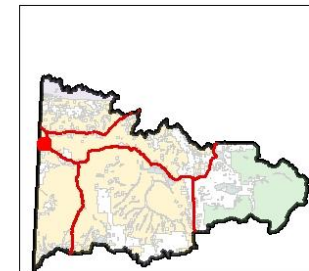


Sources:  
BLM, USGS, CDOW, etc.

Disclaimer:  
Although the data presented within this map, and the map itself, have been processed successfully on computers of BLM, no warranty, expressed or implied, is made by BLM regarding the use of this map or the data represented, nor does the fact of distribution constitute or imply any such warranty.

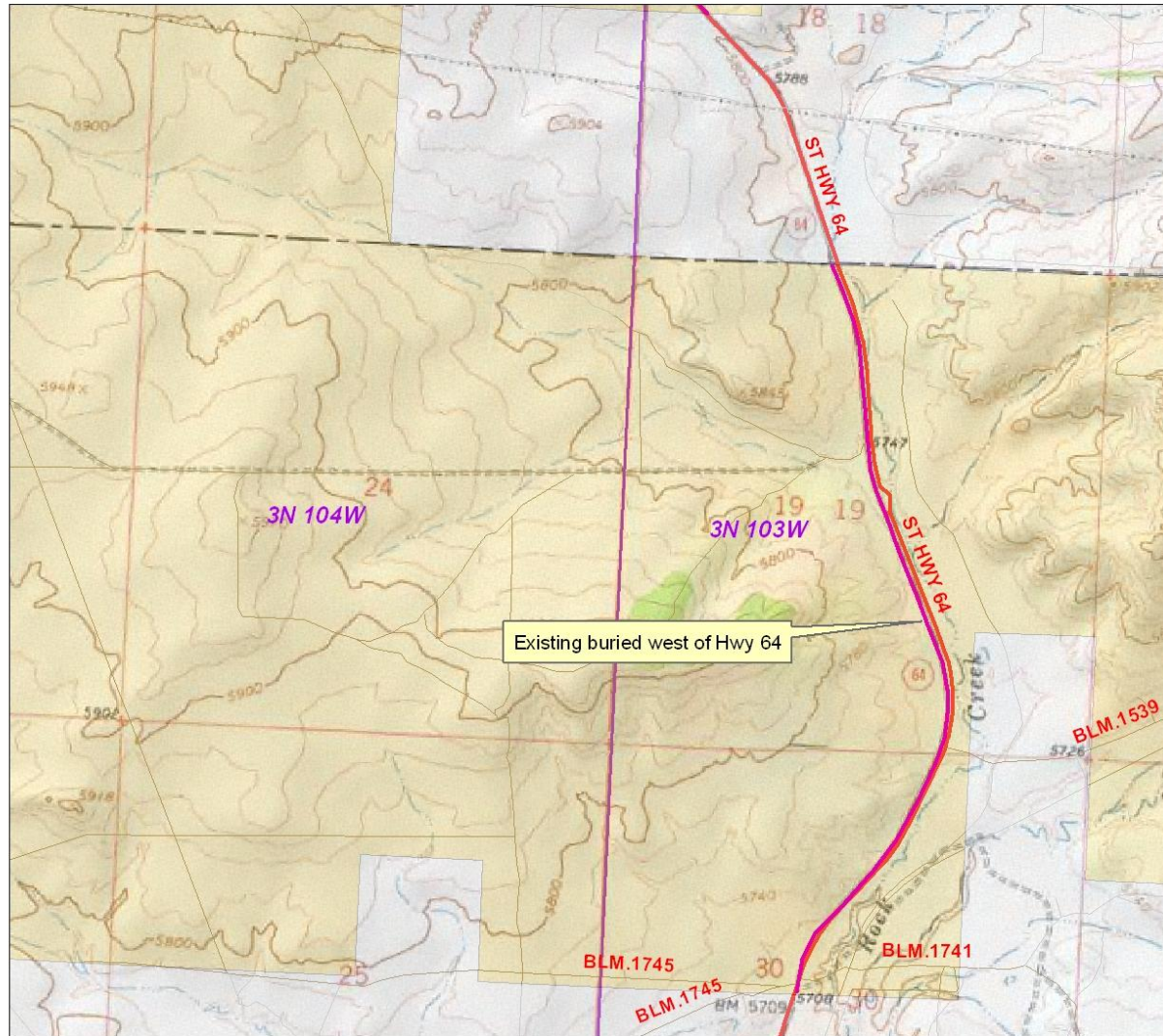


May 2011

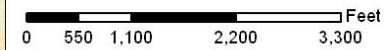


ROW COC53638  
T. 3 N., R. 103 W.

EXHIBIT A



- COC53638
- BLM
- CDW
- County
- FOR
- NPS
- PRI
- STA
- PLSS\_Township\_GCD82008
- State
- County
- BLM
- USFS
- NPS
- Other

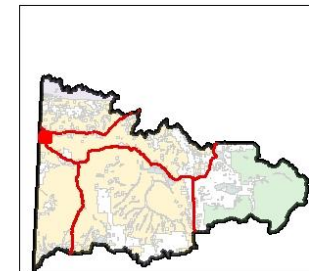


Sources:  
BLM, USGS, CDOW, etc.

Disclaimer:  
Although the data presented within this map, and the map itself, have been processed successfully on computers of BLM, no warranty, expressed or implied, is made by BLM regarding the use of this map or the data represented, nor does the fact of distribution constitute or imply any such warranty.



May 2011



**U.S. Department of the Interior  
Bureau of Land Management  
White River Field Office  
220 E Market St  
Meeker, CO 81641**

**DECISION RECORD**

**PROJECT NAME:** Add Fiber Optic Cable to Existing ROW

**CATEGORICAL EXCLUSION NUMBER:** DOI-BLM-CO-2011-0110-CX

**DECISION**

It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-CO-2011-0110-CX, authorizing the construction, operation, and maintenance of the fiber optic cable from Rangely, Colorado to Dinosaur, Colorado.

**Mitigation Measures**

1. All applicable terms, conditions, and stipulations contained in original ROW grant COC53638 shall be carried forward and remain in full force and effect.
2. No earth disturbing activities will be allowed from April 1 – July 15 to avoid involvement with prairie dogs (and associates) and their burrow systems during the breeding and pup-rearing period.
3. The holder is responsible for informing all persons who are associated with the project that they will be subject to prosecution for knowingly disturbing archaeological sites or for collecting artifacts.
4. If any archaeological materials are discovered as a result of operations under this authorization, activity in the vicinity of the discovery will cease, and the BLM WRFO Archaeologist will be notified immediately. Work may not resume at that location until approved by the AO. The holder will make every effort to protect the site from further impacts including looting, erosion, or other human or natural damage until BLM determines a treatment approach, and the treatment is completed. Unless previously determined in treatment plans or agreements, BLM will evaluate the cultural resources and, in consultation with the State Historic Preservation Office (SHPO), select the appropriate mitigation option within 48 hours of the discovery. The holder, under guidance of the BLM, will implement the mitigation in a timely manner. The process will be fully documented in reports, site forms, maps, drawings, and photographs. The BLM will forward documentation to the SHPO for review and concurrence.
5. Pursuant to 43 CFR 10.4(g) the holder of this authorization must notify the AO, by telephone,

with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.

6. The holder is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for disturbing or collecting vertebrate fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands.

7. If any paleontological resources are discovered as a result of operations under this authorization, the holder or any of his agents must stop work immediately at that site, immediately contact the BLM Paleontology Coordinator, and make every effort to protect the site from further impacts, including looting, erosion, or other human or natural damage. Work may not resume at that location until approved by the AO. The BLM or designated paleontologist will evaluate the discovery and take action to protect or remove the resource within 10 working days. Within 10 days, the operator will be allowed to continue construction through the site, or will be given the choice of either (a) following the Paleontology Coordinator's instructions for stabilizing the fossil resource in place and avoiding further disturbance to the fossil resource, or (b) following the Paleontology Coordinator's instructions for mitigating impacts to the fossil resource prior to continuing construction through the project area.

8. If it becomes necessary to excavate into the underlying sedimentary rock formations, particularly the Mesa Verde and Sego Sandstone to make a trench for the fiber optic line a paleontological monitor shall be present for all such excavations.

### **COMPLIANCE WITH LAWS & CONFORMANCE WITH THE LAND USE PLAN**

This decision is in compliance with the Endangered Species Act and the National Historic Preservation Act. It is also in conformance with the 1997 White River Record of Decision/Approved Resource Management Plan.

### **PUBLIC INVOLVEMENT**

The BLM informed the public about this project by listing it on the online WRFO NEPA Register and a copy of the completed Categorical Exclusion will be posted on the WRFO website.

### **RATIONALE**

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, E12. This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The Proposed Action has been reviewed, and none of the extraordinary circumstances described in 43 CFR 46.215 apply.

### **ADMINISTRATIVE REMEDIES**

This decision shall take effect immediately upon the date it is signed by the Authorized Officer and shall remain in effect while any appeal is pending unless the Interior Board of Land Appeals issues a stay (43 CFR 2801.10(b)). Any appeal of this decision must follow the procedures set forth in 43 CFR Part 4. Within 30 days of the decision, a Notice of Appeal must be filed in the office of the Authorized Officer at White River Field Office, 220 East Market St., Meeker, CO 81641 with copies sent to the Regional Solicitor, Rocky Mountain Region, 755 Parfet St., Suite 151, Lakewood, CO 80215, and to the Department of the Interior, Board of Land Appeals, 801 North Quincy St., MS300-QC, Arlington, VA, 22203. If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals at the above address within 30 days after the Notice of Appeal is filed with the Authorized Officer.

**SIGNATURE OF AUTHORIZED OFFICIAL:**

  
Field Manager

**DATE SIGNED:**

08/25/2011